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COUNSEL FOR DEBTORS

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	
	§	
MORRIS RADIO ENTERPRISES, L.L.C.,	§	CASE NO. 09-31416-HDH-11
dba THE BUSINESS SHRINK and	§	
	§	
PRS, II, LLC, dba FORT MORGAN	§	CASE NO. 09-31436-BJH-11
	§	
Debtors	§	
	§	Jointly Administered
	§	Under Case No. 09- 31416 HDH-11
	§	

EMERGENCY MOTION FOR CONTINUANCE

TO THE HONORABLE HARLIN D. HALE,
UNITED STATES BANKRUPTCY JUDGE:

PRS II, LLC, dba Fort Morgan (the “Debtor” and/or “Debtor in Possession”) hereby files this Emergency Motion for Continuance (the “Motion”) pursuant to Section 105(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et. seq.* (the “Bankruptcy Code”), for the entry of an order continuing the hearing on White Sands Group, L.L.C.’s (“White Sands”) Amended Motion

to Dismiss Debtor PRS II LLC's Chapter 11 Case, or, in the Alternative, for Change of Venue [**Docket No. 118**] (the "Amended Motion to Dismiss"). In support of this Motion, Debtor respectfully represents as follows:

1. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334(b). This matter is a core proceeding, and this Motion is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory basis for relief requested herein is Section 105(a) of the Bankruptcy Code.

3. On December 16, 2009 White Sands filed its Motion to Dismiss Debtor PRS II LLC's Chapter 11 Case, or, in the Alternative, for Change of Venue [**Docket No. 105**]. On January 7, 2010, White Sands filed its Amended Motion to Dismiss.

4. On January 11, 2010, Debtor filed its Response to White Sands Group, LLC's Amended Motion to Dismiss Debtor PRS II LLC's Chapter 11 Case, or, in the Alternative, for Change of Venue (the "Response") [**Docket No. 122**].

5. On January 15, 2010, White Sands filed its Supplemental Reply to Response of PRS II, LLC to White Sands Group, LLC's Motion to Dismiss [**Docket No. 125**].

6. The hearing on the Amended Motion to Dismiss was initially set for January 21, 2010. Because of a personal emergency of Debtor's lead counsel, Mr. Gerrit M. Pronske, White Sands graciously agreed to reset the hearing on the Amended Motion to Dismiss to a date and time where Mr. Pronske could be available. Despite its courteous gesture, however, White Sands reset the hearing date to February 2, 2010 without any prior discussion with Debtor, and Debtor was not given the opportunity to confirm that its witnesses could be available at the reset date or

to confer with White Sands regarding the amount of time it would require to present its defense to the Amended Motion to Dismiss.

7. The Debtor now faces an impossible situation where (i) its key witness, Mr. Peter R. Morris, is not available to personally attend the reset hearing due to pre-planned international travel, and (ii) there is not enough time reserved before the Court for Debtor to completely present its defense to the Amended Motion to Dismiss. Debtor and White Sands have agreed that Mr. Morris may testify via teleconference at the hearing, but such testimony will necessarily require the review of voluminous documents, extensive cross examination and redirect examination, and the clarifying of prior testimony.

8. Even if the Court were to approve Mr. Morris' extensive participation in the hearing as a witness via teleconference, however, there still would not be enough time reserved before the Court to conclude the hearing. Upon White Sands' request, without first conferring with the Debtor, the Court has reserved only one hour of time for the hearing on the Amended Motion to Dismiss. Debtor anticipates that the presentation of its defense alone will take approximately two and a half to three hours, a significant portion of which will necessarily involve Mr. Morris' testimony via teleconference.

9. For these reasons, Debtor requests the Court to enter an order continuing the hearing on the Amended Motion to Dismiss to a date and time when the parties may have at least four hours to present evidence and argue the merits of the motion and when the Debtor's witness may attend in person. The Debtor understands that the Court may have availability for the requested amount of time on March 22, 2010 and/or March 25, 2010.

10. This continuance is not sought for delay or to inconvenience any party.

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully prays that the Court grant the Motion for Continuance and grant Debtor such other and further relief to which it may show itself to be entitled.

Dated: January 28, 2010.

Respectfully submitted,

By: /s/ Melanie P. Goolsby
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COUNSEL FOR DEBTORS

CERTIFICATE OF CONFERENCE

I, the undersigned, hereby certify that, on January 28, 2010, I left voicemail messages with Mr. Richard H. Gill and Mr. George W. Walker, counsel for White Sands Group, LLC, concerning the relief requested in the Motion. As of the filing of this Motion, counsel for White Sands Group, LLC has not indicated whether White Sands Group, LLC opposes the relief requested in the Motion.

/s/ Melanie P. Goolsby
Melanie P. Goolsby

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on January 28, 2010, I caused to be served the foregoing pleading via email upon the counsel listed below, and via the Court's electronic transmission facilities upon all parties accepting ECF service of pleadings.

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